

What is a Home Occupation Permit?

A Home Occupation Permit is a means by which the city may permit a business to be conducted in a dwelling by a resident of the dwelling. The business must be largely subordinate to the home.

When is a Home Occupation Permit necessary?

A Home Occupation Permit is required for any occupation or profession carried on in a dwelling unit, with three exceptions. A permit is *not* necessary for:

- a business which has no external indication of commercial activity—including no nonresident employees, no client visits, no business-related deliveries, and no vehicle signage;
- a family, child, and/or adult care/home located in a residence; and
- a business conducted in a dwelling within a nonresidential land use district, where the resident chooses instead to meet all commercial development standards.

How are home occupations permitted?

Home occupations are permitted through a Process II administrative decision. This means the director of Planning & Community Development makes the decision; no other review bodies are involved unless the approval is appealed to the hearing examiner. A home occupation can only be applied for by a resident of the dwelling. To gain approval, a home occupation must meet all of the following criteria:

- The business does not involve automobile-related services, warehousing of more than 1,000 cubic feet of materials, or external storage of goods.
- The business is conducted wholly within a structure and utilizes no more than 25 percent of the gross floor area of the structure in which it is located.

- No more than one person who is not a resident of the dwelling is participating in the business at the dwelling.
- There is no exterior display; no exterior alteration of the property, including expansion of parking; no exterior sign other than business signage on the applicant's vehicle; no exterior storage of materials; or other exterior indication of the business.
- There is no structural alteration to the interior or exterior of the structure which changes its residential character.
- There is no use of electrical or mechanical equipment which would change the fire rating of the structure or which would create visible or audible interference in radio or television receivers or which would cause fluctuations in line voltage outside the dwelling.
- There is no noise, vibration, smoke, dust, odor, heat, or glare produced by the business which would exceed that normally associated with a dwelling.
- In addition to parking required for the residents, there are no more than two vehicles parked on or in the vicinity of the property as a result of the business at any one time.
- There are no more than six client visits per day, and there is not more than one client on the premises at any one time. One client does include a family arriving in a single vehicle.
- There are no more than two deliveries per week either to or from the residence by a private delivery service and no other use of a commercial vehicle other than that normally used by the applicant or an employee.

The city may also consider:

- The location of the proposed home occupation in relation to traffic impacts and safety concerns to the adjacent neighborhood.
- The impacts the proposed home occupation may have on the residential character of the neighborhood.
- The cumulative impacts of the proposed home occupation in relation to other city-approved home occupations in the immediate vicinity.
- The imposition of a condition under which the city reserves the right to impose additional conditions or to reconsider the home occupation within a certain timeframe from approval date, based on complaints filed with the city.

Compliance with codes. The Home Occupation must satisfy the requirements of all technical codes adopted by the city (Bellevue City Code Title 23), including building, electrical, fire, and plumbing code requirements.

Plat Restrictions. Some properties have restrictions placed upon them when subdivided and recorded. These restrictions may determine the permissibility and/or type of home occupation allowed in a particular residence.

Does it need to be publicly noticed?

Notices of application and decision for a Home Occupation Permit are published in the King County Journal and on the City of Bellevue's web site and are mailed to all property owners within 500 feet of the subject property.

Can a Home Occupation Permit be revoked?

Upon determination that there has been a violation of any decision criteria or condition of approval, the director of Planning & Community Development may give written notice to the permit holder describing the alleged violation. Within 14 days of the mailing of notice of violation, the permit holder must show cause why the permit should not be revoked. At the end of the 14-day period, the director sustains or revokes the permit. When a Home Occupation Permit is revoked, the director notifies the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeals of decisions to revoke a Home Occupation Permit will be processed using the Process II appeal procedures (see Handout L-35, *Appealing a Land Use Decision*).

Where can I get additional information?

- LUC 20.30N
- Permit Processing, 425-452-6800 for fee information.
- Land Use Desk in Development Services for general questions, 425-452-4188 or landusereview@ci.bellevue.wa.us.

This document is intended to provide guidance in applying certain Land Use Code regulations and is for informational use only. It cannot be used as a substitute for the Land Use Code or for other city codes, such as the Construction Codes. Additional information is available from Development Services at Bellevue City Hall or on the city website at www.bellevuewa.gov.

For land use regulations that may apply to your project, contact the Land Use Information Desk in Development Services. Phone: 425-452-4188. E-mail: landusereview@ci.bellevue.wa.us. Assistance for the hearing impaired: dial 711.
